

TOP SECRET

July 3, 1948. REVIEWED BY gjk

DEPARTMENT OF STATE A/CDC/ME

DATE 7/13/48

Explanatory Note in Connection With
Proposed Presidential Directive

1. A directive from the President is advisable because of provisions of the immigration laws and regulations and because the procedure proposed requires the cooperation of several agencies. It refines to writing the oral understanding with the President in Cabinet and it embodies the fundamental provisions of the SWNCC directive relating to Army and Navy exploitation (so-called Appendix "B"), and the SWNCC directive relating to Commerce exploitation (so-called Appendix "C"). It also provides for coordination with individual applications for immigration by German scientists.

2. The limitation to one hundred persons is tentative. The President had proposed—as reported—that the number of persons involved be "a limited few" and the SWNCC directive refers to "a limited number;" dispute has arisen whether this should be interpreted as 1,000 or more (the number of specialists in the American Zone), or as fewer; a definite clarification is essential. Informally the military services recently proposed to submit under Appendix "B" the names of thirty priority cases, of which the Air Force have submitted ten and the others none. The military services have, however, informally discussed submitting a maximum of about 200 cases for exploitation by immigration; but of these it is quite likely no more than sixty will pass the security

EDS for ADJUTANT, DATE
TS AUTH. BY ORIGIN
ENDORSE EXISTING MAR. AC. ☐
DECLASSIFIED ☒ RELEASABLE ☒
PA or FOI EXEMPTIONS

SECRET

the security requirements of the Cessett Bill and similar security provisions of the present immigration laws and regulations.

The directive has, therefore, been drawn on the assumption that the total number will be inserted when the investigations within Germany and within the United States have progressed far enough to indicate the number of persons who will qualify for admission as immigrants. The others, it is envisaged, will be treated as temporary visitors or in military custody under an expanded program, analogous to the British exploitation program and possibly even permitting the presence of wives and families, etc. An expanded military custody program appears to provide possibilities of a workable and adequate solution to the main problem involved in the proposal for removal of German scientists to the United States. However, the legal aspects of the military program are not part of the present problem and concern primarily the Department of Justice.

3. The Visa Division has proposed that the directive be cleared with the Congressional Immigration Committees before submission to the President.

SECRET